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Fax No. 1-703-872-9306 on January 24, 2005

PATENT  
Docket No.: 018781-005710US  
Client Ref. No.: T00-007-1

TOWNSEND and TOWNSEND and CREW LLP

By: Marta Vanegas

Marta R. Vanegas

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Browner, Michelle F.

Application No.: 10/004,287

Filed: October 23, 2001

For: ANTIINFLAMMATION AGENTS

Examiner: Balasubramanian

Art Unit: 1624

**PETITION TO WITHDRAW FROM  
ISSUE AFTER PAYMENT OF ISSUE  
FEE UNDER 37 CFR §1.313(c)(2)**

Office of Petitions  
Assistant Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition the Office of Petitions for withdrawal of the above-referenced patent application from issue. This Petition is being submitted after payment of the issue fee, the payment for which was transmitted to the PTO by first class mail on August 26, 2004 and received by the Office on August 30, 2004.

The basis for this petition is 37 CFR §1.313(c)(2): withdrawal is being sought for the purpose to permit consideration of the Request for Continued Examination in compliance with §1.114.

Accompanying this petition is the fee set forth under 37 C.F.R. §1.17(h).

Respectfully submitted,



Mark H. Hopkins, Ph.D.  
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M3H:mrw

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JAN 24 2005

PTO/SB/17p (11-04)

<b>PETITION FEE</b> <b>Under 37 CFR 1.17(f), (g) &amp; (h)</b> <b>TRANSMITTAL</b> (Fees are subject to annual revision)  Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	Application Number	10/004,287
	Filing Date	October 23, 2001
	First Named Inventor	Browner, Michelle F.
	Art Unit	1624
	Examiner Name	Balasubramanian, V.
	Attorney Docket Number	018781-005710US

Enclosed is a petition filed under 37 CFR § 1.313(c)(2) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see or PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 20-1430 :  
☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments  
 Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.138(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.298 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.64 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

Mark H. Hopkins  
 Signature  
 Mark H. Hopkins, Ph.D.  
 Typed or printed name

January 24, 2005  
 Date  
44,775  
 Registration No., if applicable

60405411 v1